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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,677	05/26/2000	John Edmund Ahern	GB9-2000-0076-US1	3625

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EXAMINER
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ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 04/06/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/579,677

Applicant(s)

AHERN ET AL.

Examiner

Charles E Anya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

1. Claims 1-13 are pending in this application.
2. To insure proper consideration and to the extent required by 37 CFR 1.56, applicant is required to supply a copy of the publication reference cited in the specification because it is not readily available to the examiner (see page 6 lines 1-11).

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 5 recites the limitation "said group scope definition" in line 13. There is insufficient antecedent basis for this limitation in the claim.  

For the purpose of this office action the examiner would assume that the phrase "said group scope definition" implies "said group scope option".

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**7. Claims 1-6,8,9,11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,841,973 to Kessler et al. in view of U.S. Pat. No. 5,910,178 to Moh et al.**

8. As to claim 1, Kessler teaches a method for simplifying control of a group of computer programs within a group of cooperating communication managers which access computer system resources held in computer system memory (figure 2 Col. 5 Ln. 31 – 41, Col. 7 Ln. 53 – 67), the method including the steps of: providing connection services to each computer program within the group of computer programs to enable access to a shared access memory that is accessible to each of the group of cooperating communication manager (figure 3 Col. 5 Ln. 53 – 67, Col. 6 Ln. 1 – 27), providing a set of command target qualifiers specifically identifying at least one of the group of cooperating communication managers to which a command should be targeted (figure 6 Col. 9 Ln. 7 – 18, Col. 10 Ln. 1 – 40) and providing a set of scope definitions for association with respective computer system resources to determine the scope of access and change rights for the computer system resources and for determining whether the computer system resources should be stored in said shared access memory, and for identifying computer system resources to which a command is to be applied by reference to their associated scope definitions (figure 7 Col. 9 Ln. 19 – 67).

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9. Kessler is silent with reference to the set of command target qualifiers that includes at least one command target qualifiers indicating that a command should be targeted to all members of the group of cooperating communication managers.

10. Moh teach the set of command target qualifiers that includes at least one command target qualifiers indicating that a command should be targeted to all members of the group of cooperating communication managers (Col. 6 Ln. 1 – 32).

11. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Moh and Kessler because the teaching of Moh would improve the system of Kessler by providing message broadcast function (Moh Col. 6 Ln. 1 – 32).

12. As to claim 2, Kessler teaches a method according to claim 1 wherein respective ones of said scope definitions are associated with respective computer system resources in response to setting of a scope parameter during a computer system resource creation operation (Col. 9 Ln. 50 – 61).

13. As to claim 3, Kessler teaches a method according to claim 1, wherein said set of scope definitions include a shared scope option for association with respective computer system resources, said shared scope definition determining that the respective computer system resources should be stored in said shared access memory and should be accessible to all cooperating communication managers in said group (figure 3 Col. 5 Ln. 58 – 67, Col. 9 Ln. 50 – 61).

14. As to claim 4, Kessler teaches a method according to claim 3, including the step of saving a computer system resource to said shared access memory in response to specifying a shared scope during creation of the computer system resource (Col. 9 Ln. 50 – 61).

15. As to claim 5, Kessler teaches a method according to claim 1, wherein said set of scope definitions include a group scope option for association with respective computer system resources, said group scope option determining that the respective computer system resources should be stored in said shared access memory and that copies of said respective computer system resources should be created and stored in local storage of each cooperating communication manager in said group of cooperating communication managers (Col. 9 Ln. 19 – 49).

16. As to claim 6, Kessler teaches a command interface for a computer program for issuing commands for administration of the computer program and other computer programs which have been defined as a group of computer programs within a group of cooperating communication managers, the command interface providing a set of commands having the following parameters: a command target qualifier, wherein particular parameters values of the command target qualifier determine which communication managers of the group of cooperating communication managers to which the command should be targeted (Col. 10 Ln. 1 – 24) and a scope definition,

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wherein particular parameter values of the scope definition are associatable with respective computer system resources and wherein a parameter value of the scope definition determines which of the respective computer system resources the command should be applied to by reference to their associated command target qualifier parameter values (figure 7 Col. 9 Ln. 19 – 67, Col. 10 Ln. 1 – 40). Also see the rejection of claim 1.

17. As to claim 8, Moh teaches a command interface according to claim 6, wherein said command target qualifier has at least a first specifiable parameter value, indicating that a command should be applied to all members of the group of cooperating, communication manager and a second specifiable parameter value indicating that a command should be targeted of an individual cooperating communication manager of the group of cooperating communication managers (Col. 6 Ln. 1 – 32).

18. As to claims 9 and 11, see the rejection of claim 6.

19. As to claim 12, Kessler teaches a method for controlling a group of computer programs within a group of cooperating communication manager which access computer system resources held in computer system memory, the method including the steps of: in response to a command being issued which specifies an operation and a command target qualifier, determining which cooperating communication managers within said group to which the command should be targeted (Col. 10 Ln. 1 – 40), in

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response to the command specifying a scope definition, determining which computer system resources of the determined computer programs the operation is to be performed on and performing the operation on the determined resources of the determined computer programs (MQCW 70 Col. 10 Ln. 16 – 32). Also see the rejection of claim 1.

**20. Claims 7,10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,841,973 to Kessler et al. in view of U.S. Pat. No. 5,910,178 to Moh et al. as applied to claim 6 above, and further in view of U.S. Pat. No. 5,22,217 to Blount et al. and further in view of U.S. Pat. No. 6,141,701 to Whitney.**

21. As to claim 7, Kessler as modified is silent with reference to a command interface according to claim 6 wherein the set of commands includes a define command for defining a new computer system resource, wherein a scope definition parameter value specified in said define command is associated with said computer system resource in response to issuing the command and wherein the scope definition parameter value determines the scope of access and change rights for the computer system resource and determining whether the computer system resource should be stored in a shared access memory which is accessible by all cooperating communication managers in said



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group or should be stored in unshared local memory of an individual cooperating communication manager indicated by said command target qualifier.

22. Blount teaches a command interface according to claim 6 wherein the set of commands includes a define command for defining a new computer system resource, wherein a scope definition parameter value specified in said define command is associated with said computer system resource in response to issuing the command and wherein the scope definition parameter value determines the scope of access and change rights for the computer system resource (figure 5 Col. 11 Ln. 14 – 67, Col. 12 Ln. 1 – 27).

23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Blount and Kessler because the teaching of Blount would improve the system of Kessler by creating and controlling message queues (Blount Col. 11 Ln. 20 – 27).

24. Whitney teaches determining whether the computer system resource should be stored in a shared access memory which is accessible by all cooperating communication managers in said group or should be stored in unshared local memory of an individual cooperating communication manager indicated by said command target qualifier (figure 18 Col. 37 Ln. 1 – 50).

25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Whitney and Kessler because the teaching of Whitney would improve the system of Kessler by putting messages that are less than 4 bytes (Whitney Col. 36 Ln. 22 – 24).

26. As to claim 10, Kessler is silent with reference to a data processing system according to claim 9 including: means for accessing a first memory from one of the group of cooperating communication managers, which the first memory is inaccessible from other members of the group of cooperating communication managers and means for accessing a second memory from said one of the group of cooperating communication managers which second memory is accessible from all member of the group of cooperating communication managers, wherein the set of commands includes a define command for defining a new computer system resource, wherein a scope definition parameter value specified in said define command is associated with said computer system resource in response issuing the command and wherein the scope definition parameter value determines the scope of access and change rights for the computer system resource including determining whether the computer system resource should be stored in said second memory which is accessible by all cooperating communication managers of said group or should be stored in unshared memory of an the individual cooperating communication manager indicated by said command target qualifier.

27. Blount teaches the set of commands includes a define command for defining a new computer system resource, wherein a scope definition parameter value specified in said define command is associated with said computer system resource in response to issuing the command and wherein the scope definition parameter value determines the

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scope of access and change rights for the computer system resource (figure 5 Col. 11 Ln. 14 – 67, Col. 12 Ln. 1 – 27).

28. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Blount and Kessler because the teaching of Blount would improve the system of Kessler by creating and controlling message queues (Blount Col. 11 Ln. 20 – 27).

29. Whitney teaches a data processing system according to claim 9 including: means for accessing a first memory from one of the group of cooperating communication managers, which the first memory is inaccessible from other members of the group of cooperating communication managers and means for accessing a second memory from said one of the group of cooperating communication managers which second memory is accessible from all member of the group of cooperating communication managers/ determining whether the computer system resource should be stored in a shared access memory which is accessible by all cooperating communication managers in said group or should be stored in unshared local memory of an individual cooperating communication manager indicated by said command target qualifier (figure 18 Col. 37 Ln. 1 – 50).

30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Whitney and Kessler because the teaching of Whitney would improve the system of Kessler by putting messages that are less than 4 bytes (Whitney Col. 36 Ln. 22 – 24).

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31. As to claim 13, see the rejection of claim 7.

***Response to Arguments***

32. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.


***Conclusion***

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,148,366 to Watanbe.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

  
MENG-AI T. AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya  
Examiner  
Art Unit 2126

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